

21 C.J.S. Courts § 41

Corpus Juris Secundum | May 2023 Update

Courts

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II. Jurisdiction of Courts

C. Jurisdiction of Subject Matter or Cause of Action

4. Jurisdiction of Actions Under Laws of Other States or Countries

§ 41. Jurisdiction to enforce rights arising under laws of other states or countries

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Courts](#) 🔑8

West's Key Number Digest, [International Law](#) 🔑321, 322, 341, 352, 361, 364, 392

Subject to certain limitations, state courts generally assume jurisdiction of transitory actions to enforce rights arising under the laws of other states or foreign countries, under the Full Faith and Credit Clause and on the ground of comity.

Subject to certain limitations,¹ the Full Faith and Credit Clause of the United States Constitution generally requires the courts of one state to exercise jurisdiction in actions to enforce rights arising under the laws of another state,² as to transitory causes of action,³ since it is the obligation of each state's courts to enforce the rights of all citizens, no matter where the rights were created.⁴ Laws of a foreign country also may be enforced.⁵

Comity is ordinarily the basis of state courts' enforcement of causes of action arising under the laws of another state or foreign nation.⁶

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Footnotes

- 1 §§ 42, 43.
- 2 U.S.—*V.L. v. E.L.*, 136 S. Ct. 1017 (2016); *Marshall v. Marshall*, 547 U.S. 293, 126 S. Ct. 1735, 164 L. Ed. 2d 480 (2006).
- Fla.—*Brandon-Thomas v. Brandon-Thomas*, 163 So. 3d 644 (Fla. 2d DCA 2015).
- Substantive rights will be enforced**
- Tenn.—*Lemons v. Cloer*, 206 S.W.3d 60, 214 Ed. Law Rep. 878 (Tenn. Ct. App. 2006).
- 3 U.S.—*Marshall v. Marshall*, 547 U.S. 293, 126 S. Ct. 1735, 164 L. Ed. 2d 480 (2006).
- Alaska—*John v. Baker*, 30 P.3d 68 (Alaska 2001).
- 4 Miss.—*Hogrobrooks v. Progressive Direct*, 858 So. 2d 913 (Miss. Ct. App. 2003).
- 5 Miss.—*Kountouris v. Varvaris*, 476 So. 2d 599 (Miss. 1985).
- Tex.—*Colvin v. Colvin*, 291 S.W.3d 508 (Tex. App. Tyler 2009).
- 6 Ga.—*Tyson Foods, Inc. v. Craig*, 266 Ga. App. 443, 597 S.E.2d 520 (2004).
- N.C.—*Cox v. Roach*, 218 N.C. App. 311, 723 S.E.2d 340 (2012).
- Tenn.—*Lemons v. Cloer*, 206 S.W.3d 60, 214 Ed. Law Rep. 878 (Tenn. Ct. App. 2006).
- Tex.—*Coca-Cola Co. v. Harmar Bottling Co.*, 218 S.W.3d 671 (Tex. 2006).
- Wash.—*In re Estate of Toland*, 180 Wash. 2d 836, 329 P.3d 878 (2014).